

REMARKS

The Office Action of March 3, 2009 has been received and carefully reviewed. It is submitted that, by this Amendment, all bases of rejection and objection are traversed and overcome. Upon entry of this Amendment, claims 3, 4, 21, 22, 23, 24, 26, 28, 29, 30, 32, and 33 remain in the application. Claims 8, 9, 10, 12, 13, 14, 16, and 17 have been withdrawn. Claims 6, 11, 15, 18, 19, 20, 25, and 31 are cancelled herein. Claims 3, 4, 8, 9, 10, 12, 13, 14, 16, 17, 21, 22, 23, 28, 29, 30 and 33 have been amended. Basis for the amendments can be found throughout the application as filed, at least from page 7, line 18 to page 8, line 11, and in Figures 1 and 2. Reconsideration of the claims is respectfully requested.

Claims 3, 21, 22, 24-26 and 33 stand rejected under 35 U.S.C. 102(b) as being anticipated by Schleicher et al. (U.S. Patent No. 5,837,036). Furthermore, claims 4, 6, 21-26 and 28-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsuchida et al. (U.S. Patent Publication No. 2002/0071941) in view of Schleicher et al.

Applicants' invention as recited in amended claim 3 and in the other independent claims relates to a print medium, each independent claim reciting in some form: a print medium having increased resistance to gasfading, including: a melt-coated, discrete inhibitor layer on at least one surface of the print medium. The layer includes at least one odorless sulfur-containing polymer. The at least one polymer has a molecular weight greater than approximately 1000. The at least one polymer is selected from the group consisting of poly(1,4-phenylene sulfide), poly(1,3-phenylene sulfide), and combinations thereof. The print medium comprises a plain paper, a porous print medium, or a swellable print medium.

In contrast, Schleicher discloses "coatings of support materials with polymers such as poly(phenylene sulfide)... which can be obtained by applying **solutions** of the sulfur-containing polymer to the support material." (See Schleicher, column 3, lines 30-33.) In other words, Schleicher discloses applying a **solution** of poly(phenylene sulfide) mixed with a solvent or dispersant to achieve a coating of a non-print material, such as glass, metal, plastics, etc. It is submitted that Schleicher clearly does **not** teach or suggest anything about a medium with a discrete inhibitor layer (nor a topmost, discrete

inhibitor layer, as recited in some of Applicants' independent claims) having been applied in other than a solution form. (See Schleicher, column 3, lines 30-34.) In sharp contrast, the currently pending claims, recite that the melt-coated poly(phenylene sulfide) is in a discrete layer, i.e., remaining on the surface with substantially no penetration into the substrate.

In order to provide further evidence of the differences between the melt-coated, discrete poly(phenylene sulfide) layer of Applicants' invention as recited in the pending claims and Schleicher's poly(phenylene sulfide) layer having been applied by solution, co-inventor Matthew Thornberry has prepared and executed a Declaration under Rule 1.132. This 132 Declaration is filed herewith. The Declarant explains in further detail about the differences, and the physical basis of these differences, between Applicants' and Schleicher's PPS layers.

It is submitted that the method by which the PPS is applied (as recited in Applicants' pending claims) results in a layer having different physical characteristics from that of the Schleicher reference. Thus, for at least this reason, it is submitted that the recitation of "melt-coated" in Applicants' claims should be given patentable weight.

Schleicher clearly discloses a poly(phenylene sulfide) coating deposited as a solution, which would be likely to at least partially penetrate into the substrate (see 1.132 Declaration filed herewith). In contrast, as stated above, Applicants' invention as defined in the pending claims recites a melt-coated poly(phenylene sulfide) discrete layer. As such, it is submitted that Schleicher does not teach or suggest Applicants' invention as recited in the pending claims, and that the §102(b) rejection based on Schleicher should be withdrawn.

For the reasons stated above, Applicants submit that the §102(b) rejection of claims 3, 21, 22, 24-26 and 33 and the §103(a) rejection of claims 4, 6, 21-26 and 28-32, both based on Schleicher should be withdrawn.

Claims 3, 4, 6, 21-26 and 28-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsuchida et al. (U.S. Patent Publication No. 2002/0071941 A1) in view of Schleicher.

It is submitted that the combination of Tsuchida with Schleicher does not supply the deficiency of Schleicher alone. Neither Tsuchida, Schleicher nor a combination of the two teaches or suggests Applicants' invention as recited in the pending claims.

It is further submitted that the combination of Tsuchida in view of Schleicher in the §103(a) rejection does not teach or suggest Applicants' invention as recited in the pending claims. Tsuchida discloses print media coated with aqueous solutions of sulfur-containing polymers. The sulfur-containing polymers in Tsuchida are clearly not poly(phenylene sulfide) since they can be formed into aqueous solutions. If anything would be gleaned by one skilled in the art combining these two references, it is the aspect of coatings of sulfur-containing compounds in solution. Nothing in this combination teaches or suggests a discrete layer of melt-coated poly(phenylene sulfide). For all of these reasons, it is submitted that the §103(a) rejection based on the combination of Schleicher with Tsuchida should be withdrawn.

For all the reasons stated above, it is submitted that Applicants' invention as defined in independent claims 3, 4, 21, 28 and 33, and in those claims depending ultimately therefrom, is not anticipated, taught or rendered obvious by the cited reference(s), either alone or in combination, and patentably defines over the art of record.

In summary, claims 3, 4, 21, 22, 23, 24, 26, 28, 29, 30, 32, and 33 remain in the application. It is submitted that, through this Amendment, Applicants' invention as set forth in these claims is now in a condition suitable for allowance.

If claims 3, 4, 21, 22, 23, 24, 26, 28, 29, 30, 32, and 33 are found to contain allowable subject matter, it is requested that the Examiner also consider claims 8, 9, 10, 12, 13, 14, 16, and 17 for rejoinder. Claims 8, 9, 10, 12, 13, 14, 16, and 17 are method of making claims which require all of the limitations of the print medium defined in claims 3, 4, 21, 22, 23, 24, 26, 28, 29, 30, 32, and 33. Thus, under the requirements of MPEP §821.04(b), if claims 3, 4, 21, 22, 23, 24, 26, 28, 29, 30, 32, and 33 are found to be allowable, it is submitted that claims 8, 9, 10, 12, 13, 14, 16, and 17 are eligible for

rejoinder, and the previous restriction requirement of claims 8, 9, 10, 12, 13, 14, 16, and 17 should be withdrawn.

It is further submitted that the absence of a reply to a specific rejection, issue or comment in the Office Action does not signify agreement with or concession of that rejection, issue or comment. Finally, nothing in this amendment should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in these remarks, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Further and favorable consideration is requested. If the Examiner believes it would expedite prosecution of the above-identified application, the Examiner is cordially invited to contact Applicants' Attorney at the below-listed telephone number.

Respectfully submitted,

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